

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                           |   |                     |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | ) |                     |
|                           | ) |                     |
| Plaintiff,                | ) |                     |
|                           | ) |                     |
| v.                        | ) | No. 4:21 CR 259 RLW |
|                           | ) |                     |
| XAVIER BROWN,             | ) |                     |
|                           | ) |                     |
| Defendant.                | ) |                     |

**MOTION FOR PRETRIAL DETENTION**

Comes now the United States of America, by and through Attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Linda Lane, Assistant United States Attorneys for said District, and moves the Court to order Defendant detained pending trial.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with four counts of Wire Fraud in violation of Title 18, United States Code, Section 1343 and Unauthorized Use of Counterfeit Access Device in violation of Title 18, United States Code, Section 1029(a)(1).

2. Between April of 2017 and March of 2021 Defendant executed a scheme to defraud The Home Depot to obtain money by means of materially false and fraudulent representations. Defendant stole merchandise from The Home Depot store then made more than 2,000 separate non-receipted returns throughout the country totaling over \$595,000. Defendant received approximately \$62,824 in store credits in the Eastern District of Missouri as a result of non-receipted returns.

3. Defendant was contacted to self-surrender in this case; however, he failed to comply. Thus, on May 14, 2021 he was arrested by U.S. Marshals. Defendant continues to fail

to cooperate with the pre-trial services office.

4. Pursuant to Title 18, United States Code, Section 3142(g), the weight of the evidence against defendant and the defendant's history and characteristics warrant defendant's detention pending trial. Moreover, based on Defendant's failure to cooperate with the pre-trial services process the Government asserts there are no conditions or combination of conditions that will assure the defendant's appearance.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial.

Respectfully submitted,

SAYLER A. FLEMING  
United States Attorney

/s/ Linda Lane  
LINDA LANE, # 0011451IA